08-15-57



IAP6 Rec'd PCT/PTO 14 AUG 2007

Docket No. 96700/1175

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Joel M. Friedman and Mahantesh S. Navati

Appl. No.

10/593,387 (national stage of PCT/US05/13222)

I.A. Filing Date

April 20, 2005

For

STABLE OXIDATION RESISTANT POWDERED HEMOGLOBIN,

METHODS OF PREPARING SAME, AND USES THEREOF

Customer No.

1912

RESPONSE TO JUNE 27, 2007 NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 "Express Mail" mailing label No. EV 725836663 US Date of Deposit: August 14, 2007

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.Q. Box 1450, Alexandria, VA 22313-

1450. Name: Signature:

Sir:

This reply is submitted in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) issued on June 27, 2007 in connection with the above-identified application. A copy of the Notification is attached hereto as **Exhibit 1** (2 pages). A response is due by August 27, 2007. Accordingly, this reply is being timely filed.

Applicants: Joel M. Friedman and Mahantesh S. Navati

Appl. No.: 10/593,387

page 2 of 3

REMARKS

Declaration

The attached Notification indicates that an oath or declaration of the inventors is missing. Applicants attach as **Exhibit 2** a Declaration (3 pages) for the subject application in compliance with 37 C.F.R. §1.497(a) and (b), identifying the application by international application number and international filing date.

Power of Attorney

Applicants attach as **Exhibit 3** two Powers of Attorney (2 pages) for the subject application.

Applicants: Joel M. Friedman and Mahantesh S. Navati

Appl. No.: 10/593,387

page 3 of 3

CONCLUSIONS

A check for \$65.00 is enclosed to cover the fee for a small entity for a late declaration surcharge. No additional fee is deemed necessary in connection with the submission of this reply. However, if any other fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP

Attorneys for Applicants

90 Park Avenue

New York, New York 10016

(212) 336 8000

Dated: August 14, 2007

New York, New York

Bv

Alan D. Miller, Reg. No. 42,889

08/16/2007 LLANDGRA 00000041 10593387

01 FC:2617

65.00 OP



United States Patent and Trademark Office

96700,

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P. Dox 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/593.387 Joel M Freidman 96700/1175

INTERNATIONAL APPLICATION NO.

PCT/US05/13222

I.A. FILING DATE PRIORITY DATE

04/20/2005

04/21/2004

Alan D Miller Amster Rothstein & Ebenstein 90 Park Avenue New York, NY 10016



CONFIRMATION NO. 8882 371 FORMALITIES LETTER *OC000000024548462*

Date Mailed: 06/27/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/18/2006
- Copy of the International Search Report filed on 09/18/2006
- Preliminary Amendments filed on 09/18/2006
- Information Disclosure Statements filed on 09/18/2006
- U.S. Basic National Fees filed on 09/18/2006
- Specification filed on 09/18/2006
- Claims filed on 09/18/2006
- Abstracts filed on 09/18/2006

AMSTER, I. OTHSTEIN & EBENSTEIN	i
DOCKETED 7/2/07	
CLIENT 96700/1175 1	
DUE DATE 8 27 07 - 12 27)7
ACTION RESPOUL	- (
REVIEWED BY	

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

• \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.		INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
	10/593,387	PCT/US05/13222	96700/1175

FORM PCT/DO/EO/905 (371 Formalities Notice)